

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8290 of 2024

Arising Out of PS. Case No.-488 Year-2023 Thana- PAKARIBARAW District- Nawada

Batasiya Devi W/O SHRAWAN MANJHI @ SHRAWAN MANJHI R/O
VILLAGE PAKARI BARAWAN (GANDHI TOLA), PS PAKARI
BARAWAN DIST NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Pakri Barawan P.S. Case No. 488 of 2023 registered under Sections 30 (a) of the Bihar Prohibition and Escise Act, 2016 lodged on 18.10.2023 by the informant, Manish Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, the two houses of this petitioner and Pinki Devi were raided, 30 liters and 10 liters of country made liquor respectively recovered/seized.

4. Learned counsel for the petitioner submits that she has no criminal antecedent, the recovery is from a joint house and the same is not attributed to her.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that recovery is from the house.

6. Considering the submissions put forward by the parties as also that she do not have criminal antecedent and is a lady, this Court is inclined to grant her privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Spl. Excise Judge-I, Nalanda in connection with Pakribarawan P.S. Case No. 488 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;



(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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